

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
John Wagner Associates, Inc.		06/01/2009	CORPORATION: CALIFORNIA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Apricity, LLC		
<b>Street Address:</b>	20 W Main St Ct		
<b>City:</b>	Alpine		
<b>State/Country:</b>	UTAH		
<b>Postal Code:</b>	84004-1889		
<b>Entity Type:</b>	LIMITED LIABILITY COMPANY: UTAH		
<b>PROPERTY NUMBERS Total: 2</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
Registration Number:	1393672	HEAT TREAT	
Registration Number:	2854530	HEAT TREAT	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(510)832-4115		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
<b>Phone:</b>	510-832-4111		
<b>Email:</b>	trademarks@cypherlaw.com		
<b>Correspondent Name:</b>	Nicolas S. Gold		
<b>Address Line 1:</b>	405 14th St Ste 1607		
<b>Address Line 4:</b>	Oakland, CALIFORNIA 94612-2777		
<b>ATTORNEY DOCKET NUMBER:</b>	JWA-0115		
<b>NAME OF SUBMITTER:</b>	Nicolas S. Gold		
<b>Signature:</b>	/Nicolas S. Gold/		
<b>Date:</b>	06/29/2009		

OP \$65.00 1393672

**Total Attachments: 3**

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## ASSIGNMENT OF MARKS

Whereas, John Wagner Associates, Inc. a California corporation having a principal place of business at 20 West Main Street Court, Alpine, Utah 84004-1889  
5 (“Assignor”), has adopted, used, is using and is the owner of the trademark HEAT  
TREAT, United States Trademark Registration No. 1,393,672 (Application Serial No.  
73/562,270) of the trademark HEAT TREAT, United States Trademark Registration No.  
2,854,530 (Application Serial No. 76/409,233) of the trademark HEAT TREAT, and  
Canada Trademark Registration No. TMA671670 (Application No. 1161748) of the  
10 trademark HEAT TREAT (“Marks”);

Whereas, Apricity, LLC (“Assignee”), a Utah limited liability company, having  
its principal place of business at 20 West Main Street Court, Alpine, Utah 84004-1889,  
wishes to acquire all of Assignor's worldwide right, title and interest in, to and under the  
15 Marks, and the associated goodwill;

Now, therefore, for the sum of three thousand dollars (\$3,000.00) and other good  
and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby  
transfers and assigns to Assignee, and its successors in interest, and Assignee hereby  
20 accepts the transfer and assignment of, all of Assignor's worldwide right, title and interest  
in, to and under the Marks, together with the goodwill of the business associated  
therewith and which is symbolized thereby, all rights to sue for infringement of any  
Mark, whether arising prior to or subsequent to the date of this Assignment, all common-  
law and other rights in said Marks, and any and all renewals and extensions thereof that  
25 may hereafter be secured under the laws now or hereafter in effect in the United States  
and in any other jurisdiction, the same to be held and enjoyed by the said Assignee, its  
successors and assigns from and after the date hereof as fully and entirely as the same  
would have been held and enjoyed by the said Assignor had this Assignment of Marks  
not been made.

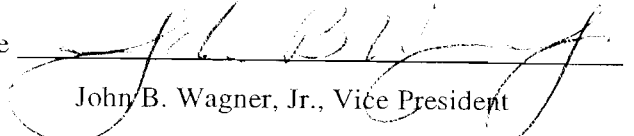
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IN WITNESS WHEREOF, the undersigned do hereby execute this assignment

to take effect on the 1<sup>st</sup> day of June 2009.

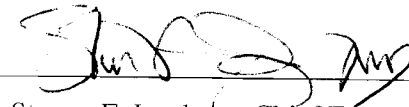
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Signature

  
John B. Wagner, Jr., Vice President  
John Wagner Associates, Inc.

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Signature

  
Steven F. Isenberg, Chief Executive Officer  
Apricity, LLC

STATE OF INDIANA  
COUNTY OF Marion

Before me, Cheryl L. Davis, a Notary Public in and for  
Marion County, State of Indiana, personally appeared  
Steven F. Isenberg, Jr. and acknowledged the execution of the  
foregoing instrument this 19<sup>th</sup> day of May 2009.

Cheryl L Davis

Cheryl L Davis

My commission expires:

July 24, 2014

County of residence:

Marion

State of Utah

County of Utah

On this 1<sup>st</sup> day of June, 2009 before me Sandy Emig, a Notary Public, personally appeared John B Wagner Jr, personally known to me (or proved on the basis of satisfactory evidence) to be the person(s) whose name (s) is (are) subscribed to the within instrument, and acknowledged he (she) (they) executed the same.

Sandy Emig  
Notary Public